

Appl. No. 10/798,198
Amdt. dated March 6, 2006
Reply to Office Action of February 6, 2006

REMARKS

Claims 1-14 were pending in the above-identified application prior to entry of this Amendment. In this Amendment, claims 12-14 have been withdrawn as drawn to non-elected subject matter. Claims 15-19 have been added. These newly added claims are drawn to the elected species. Claims 5-11 are drawn to non-elected species and for this purpose these claims are currently withdrawn pending examination of the elected species. Accordingly, after entry of this Amendment, claims 1-19 are pending in this case, claims 1-4 and 15-19 to be examined initially. The changes to the claims do not constitute the addition of new matter and full support for the changes may be found in the specification and claims as originally filed. Specifically, support for claims 1-4 and 15-19 may be found on Table 1 of the specification as filed. Support for the newly added claims may be found in Table I, Examples 3, 43, 48, 54, 57, 67, 76, 81, 85, 92, 93, 94, and 98-100, as filed in the original specification. No new matter has been added.

Restriction Requirement

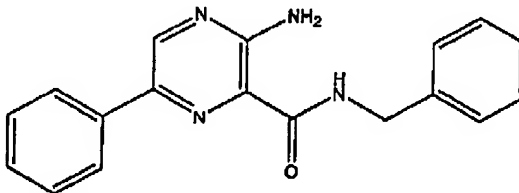
Restriction of the claims was required. The claims were separated in the following groups:

- Group I: Claims 1-11, drawn to chemical compounds of formulae (I), (II) and (III), classified in class/subclasses 544/405 (when the 2-position of pyrazine ring is "Het") and 544/406 (when the 2-position of pyrazine ring is phenyl or "Ar").
- Group II: Claims 12-14, drawn to a pharmaceutical composition comprising a compound as set forth in Group I hereinabove, and a method of treating or preventing a TGF-related disease state in a mammal, classified in class/subclass 514/255.05 (when the 2-position of pyrazine ring is "Het") and 514/255/06 (when 2-position of pyrazine ring is phenyl or "Ar").

Applicants elect, with traverse, the claims of Group I, drawn to chemical compounds of formulae (I), (II) and (III), when the 2-position of pyrazine ring is "Het" and when the 2-position of pyrazine ring is phenyl or "Ar".

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Applicants elect the species encompassed by formula I for initial examination and specifically elect the species of formula I where in $n=0$, R^1 is H and R^2 is $-\text{CH}_2\text{Phenyl}$ for preliminary examination. This compound, 3-amino-6-phenyl-pyrazine-2-carboxylic acid benzylamide, Example 3 on Table 1, was in the original application as filed. The structure of this compound is shown below:



No new matter has been added.

Claims 1-4 are drawn to this species. Claims 5-11 are withdrawn, pending the examination of the elected species. Applicants reserve the right to have the remaining claims rejoined in this application and further reserve the right to pursue the remaining claims in divisional or continuation applications.

It is respectfully submitted that the claims have been put in condition for allowance. Notification to this affect is earnestly solicited. The Examiner is encouraged to contact the Applicants' undersigned attorney to discuss this matter if any questions should arise upon further examination of the pending claims.

Respectfully submitted,

March 6, 2006
Date

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